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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

8 UNITED STATES OF AMERICA, No. CR-11-0625 EMC  
9 Plaintiff,

10 v. ORDER RE EVIDENTIARY  
11 BASSAM YACOUB SALMAN, A/K/A OBJECTIONS  
12 BASSAM JACOB SALMAN  
13 Defendant.

16 Before the Court are two evidentiary objections raised by the Defendant.  
17 Defendant objects to government exhibits 29, 35, 85-86, plea agreements and deferred  
18 prosecution agreements of cooperating witnesses. The objection is overruled. As stated in the Final  
19 Pretrial Conference Order, these exhibits do not constitute inadmissible hearsay and are admissible  
20 provided the government redacts all statements of fact made by the party to each agreement from  
21 each exhibit.

22 Defendant objects to Exhibit 82, as modified by the government. In the Final Pretrial  
23 Conference Order, the Court ruled Exhibit 82 would be admissible under Fed. R. Evid. 1006  
24 provided the government removed the column titled "Description of Citigroup Involvement" and  
25 three "Date of Contact" columns. The government argues it has complied with this instruction. The  
26 Defendant argues the revised chart suffers from the same defect as the original. The objection is  
27 sustained. Exhibit 82 as revised continues to present or suggest factual conclusions that require an  
28 inferential leap from the underlying documents. This is not the purpose of a summary chart. Should

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1 the government remove the three "Telephone Record" columns, this would address the objection,  
2 and the remaining information would be admissible pursuant to Fed. R. Evid. 1006.

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4 IT IS SO ORDERED.

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6 Dated: September 12, 2013

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10 EDWARD M. CHEN  
11 United States District Judge  
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